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EXAMINER

PHUONG, DAI

ART UNIT	PAPER NUMBER
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2617

MAIL DATE	DELIVERY MODE
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02/16/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/668,687

Applicant(s)

RADPOUR, ASSAD

Examiner

DAI A. PHUONG

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period **will** apply and **will** expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply **will**, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 December 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-8,29,31,47-51 and 53-60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-8,29,31,47-51 and 53-60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Argument

1. Applicant's arguments, filed 12/01/2009, with respect to claims have been considered but are moot in view of the new ground(s) of rejection. Claims 4, 9-28, 30, 32-46 and 52, have been canceled.

Applicant, on pages 8-17 of the remark, argues that the combined of references do not disclose or suggest the mobile telephony circuitry associated with a first telephone number; the wireless network base station associated with a landline phone associated with a second telephone number that is different than the first telephone number. The Examiner now relies on Raffel et al. (Pub. No.: 20040152482) teach the limitation.

Information Disclosure Statement

2. The references listed in the Information Disclosure Statement filed on 01/06/2010 have been considered by the examiner (see attached PTO-1449 form or PTO/SB/08A and 08B).

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1-19 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claims 1, 54 and 59 recite “the mobile telephony circuitry associated with a first telephone number; the wireless network base station associated with a landline phone associated with a second telephone number that is different than the first telephone number.” (See amendment filed 12/01/2009). This is matter not found in the specification as filed; therefore, it lacks support in the original disclosure. All dependent claims are, dependent on claims 1, 52 and 59, rejected for the same reasons. See MPEP 706.03(o).

Applicant did not provide a concise explanation of where support for the newly added limitations can be found referring to the specification as originally filed by page and line number and to the drawing, if any, by reference characters.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-3, 5-8, 29 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moore, JR. (Pub. No.: 20030039242) in view of Gallagher et al. (U.S. 7308263) and further in view of Raffel et al. (Pub. No.: 20040152482) and further in view of Hsu (U.S. 6993363) and further in view of Amos (Pub. No.: 20040259544).

Regarding claim 1, Moore, JR. discloses a mobile communication device 100 (fig. 1 and fig. 4, mobile handset 10) comprising:

mobile telephony circuitry 130 (see Fig. 4, transceiver 130) configured to communicate with a mobile telephony network 30 (see Fig. 1, mobile network) using a mobile communication protocol (GSM) (see fig. 1 below, Moore, JR. discloses in paragraph 44 "A transceiver 130 enabled for communication with the mobile telephone network and the VoIP telephone network is provided". Furthermore, Moore, JR. discloses in paragraph 18 to 21 that the handset 10 communicates with the mobile telephone network 30 by using mobile communication protocol, e.g., the iDEN Network, TDMA, CDMA, CDMA-2000, GSM, and the like);

a service request module 110 (see Fig. 4, processor 110) configured to determine proximity to a wireless network base station 22/25 (see Fig. 1, VoIP telephone network 25) configured to establish a communication path via the wireless data network protocol (Bluetooth.TM. wireless network, an IEEE 802.11 protocol) (see fig. 1 below, [0044]. Moore, JR. discloses "A processor 110 is provided for determining whether the mobile handset 10 is within range of the local network. If the handset 10 is within the range of the local network, data traffic may be routed to and from the handset 10 via the VoIP telephone network"), the service request module 110 configured to establish a communication path via a wireless data network protocol (Moore, JR. discloses in paragraph 37 that the local network 15 may comprise at least one of a Bluetooth.TM. wireless network, an IEEE 802.11b wireless network, an IEEE 802.11a wireless network, an IEEE 802.11g wireless network, an IEEE 802.11h wireless network, an IEEE 802.11e wireless network),

wherein calls addressed to the mobile communication device (mobile handset 10) via the mobile telephony network (mobile network 30) are forwarded to the mobile communication device (mobile handset 10) via the wireless network base station (VoIP telephone network 25)

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while the mobile communication device (mobile handset 10) is within the range the wireless network base station (VoIP telephone network 25) (see *fig. 1* below, [0029]. Moore, JR. discloses “The mobile handset 10 is enabled to determine whether it is within range of the local network 15. If the handset 10 is within the range of the local network 15, data traffic may be routed to and from the handset 10 via the VoIP telephone network 25”. Additionally, Moore, JR. discloses in paragraph 44 “A processor 110 is provided for determining whether the mobile handset 10 is within range of the local network. If the handset 10 is within the range of the local network, data traffic may be routed to and from the handset 10 via the VoIP telephone network), and

a voice conversion module (a transceiver 130) configured to convert between voice communication and data packets to be communicated using the wireless data network protocol with the wireless network base station (VoIP telephone network 25) (Moore, JR. discloses in paragraph 33 that the mobile handset 10 is able to communicate telephone traffic and telephone call to and from the VoIP telephone network 25. Moreover, Moore, JR. discloses in paragraph 37 that the mobile handset 10 communicates with the VoIP telephone network 25 using wireless data network protocol, e.g., Bluetooth.TM. wireless network, an IEEE 802.11b wireless network, an IEEE 802.11a wireless network, an IEEE 802.11g wireless network, an IEEE 802.11h wireless network. Therefore, the mobile handset, a transceiver 130, is able to convert between voice communication and data packets to transmit to the wireless network base station).

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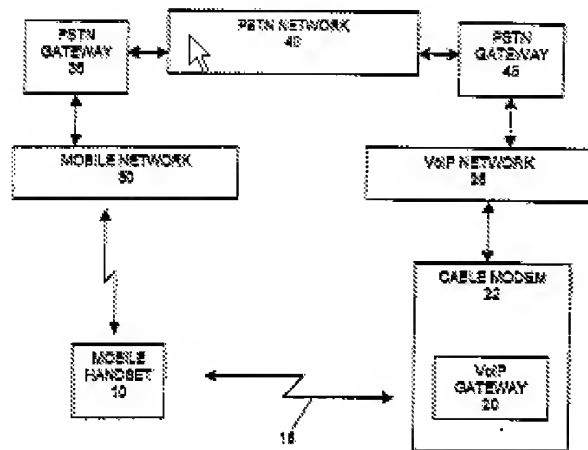


FIG. 1

However, Moore, JR. does not disclose the mobile telephony circuitry associated with a first telephone number; the wireless network base station associated with a landline phone associated with a second telephone number that is different than the first telephone number, the wireless network base station configured for voice communications via a voice communications network, the wireless network base station further configured for voice communications between the mobile communication device and the landline telephone; the service request module configures to periodically send a session continuation request to the wireless network base station associated with the landline phone telephone after the communication path is established to maintain the communication path; and power circuitry configured to selectively power the mobile telephony circuitry and the service request module, wherein the mobile telephony circuitry is powered when the mobile communication device is out of range of the wireless

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network base station, and wherein the service request module is powered when the mobile communication device is within range of the wireless network base station.

In an analogous art, Gallagher et al. disclose the wireless network base station 18 (indoor base station) associated with a landline phone (desk phone), the wireless network base station 18 (indoor base station) configured for voice communications via a voice communications network 20 (PSTN), the wireless network base station (indoor base station) further configured for voice communications between the mobile communication device 12 (subscriber device 12) and the landline telephone (desk phone) (*fig. 1, col. 16, lines 22-39*).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Moore, JR. by specifically the wireless network base station associated with a landline phone, the wireless network base station configured for voice communications via a voice communications network, the wireless network base station further configured for voice communications between the mobile communication device and the landline telephone, as taught by Gallagher et al., the motivation being in order to provide higher quality services at a lower cost.

However, the combination of Moore, JR. and Gallagher et al. do not disclose the mobile telephony circuitry associated with a first telephone number; the wireless network base station associated with a landline phone associated with a second telephone number that is different than the first telephone number; the service request module configures to periodically send a session continuation request to the wireless network base station after the communication path is established to maintain the communication path; and power circuitry configured to selectively power the mobile telephony circuitry and the service request module, wherein the mobile

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telephony circuitry is powered when the mobile communication device is out of range of the wireless network base station, and wherein the service request module is powered when the mobile communication device is within range of the wireless network base station.

In an analogous art, Raffel et al. disclose the mobile telephony circuitry associated with a first telephone number; the wireless network base station associated with a landline phone associated with a second telephone number that is different than the first telephone number (Fig. 2 and Abstract shows wherein a mobile station communicates with both a cellular network, by which it is assigned **a mobile identification number**, and to a cordless cellular base station utilizing the same cellular frequency range and communications protocol. The cordless cellular base station is preferably connected to a public switched telephone network and is assigned **a landline number**).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Moore, JR. by specifically including the mobile telephony circuitry associated with a first telephone number; the wireless network base station associated with a landline phone associated with a second telephone number that is different than the first telephone number, as taught by Raffel et al., the motivation being in order to provide the mobile station can be accessed to the communication network.

However, the combination of Moore, JR. and Gallagher et al. and Raffel et al. do not disclose the service request module configures to periodically send a session continuation request to the wireless network base station after the communication path is established to maintain the communication path; and power circuitry configured to selectively power the mobile telephony

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circuitry and the service request module, wherein the mobile telephony circuitry is powered when the mobile communication device is out of range of the wireless network base station, and wherein the service request module is powered when the mobile communication device is within range of the wireless network base station.

In an analogous art, Hsu discloses the service request module (mobile handset 5) configures to periodically send a session continuation request (keep-alive) to the wireless network base station (network 3) after the communication path is established to maintain the communication path (fig. 1, col. 2, lines 40-57 and col. 5, lines 10-24).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Moore, JR. by specifically a service request module configures to periodically send a session continuation request to the wireless network base station after the communication path is established to maintain the communication path, as taught by Hsu, the motivation being in order to inform the network that the mobile handset is still maintained its registration with the network.

However, the combination of Moore, JR. and Gallagher et al. and Raffel et al. and Hsu do not disclose power circuitry configured to selectively power the mobile telephony circuitry and the service request module, wherein the mobile telephony circuitry is powered when the mobile communication device is out of range of the wireless network base station, and wherein the service request module is powered when the mobile communication device is within range of the wireless network base station.

In the same field of endeavor, Amos discloses a wireless handset 100 includes a power circuitry configured 106 (phone microprocessor) to selectively power the mobile telephony circuitry 102 (802.11x transceiver 102) and the service request module 104 (Bluetooth transceiver 104) ([0030]. Amos discloses “The wireless handset 100 contains both an 802.11x transceiver 102 and a Bluetooth transceiver 104. The 802.11x transceiver 102 is operatively coupled to the microprocessor 106”), wherein the mobile telephony circuitry 102 (802.11x transceiver 102) is powered when the mobile communication device is out of range of the wireless network base station 200 ([0039]. *Amos discloses “The wireless handset 100 will remain in the 802.11 use state 406 provided that voice data traffic continues 410 to be received. Upon the detection of a Bluetooth link 414, the wireless handset 100 will leave the 802.11 use state 406 and return to the Bluetooth use state 404”*), and

wherein the service request module 104 (Bluetooth transceiver 104) is powered when the mobile communication device is within range of the wireless network base station 200 ([0039]. *Amos discloses “Upon the detection of a Bluetooth link 414, the wireless handset 100 will leave the 802.11 use state 406 and return to the Bluetooth use state 404”*).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Moore, JR. by specifically including a power circuitry configured to selectively power the mobile telephony circuitry and the service request module, wherein the mobile telephony circuitry is powered when the mobile communication device is out of range of the wireless network base station, and wherein the service request module is powered when the mobile communication device is within range of the wireless

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network base station, as taught by Amos, the motivation being in order to save extend lifetime of a battery and save network's resources.

Regarding claim 2, the combination of Moore, JR., Gallagher et al. and Raffel et al. and Hsu and Amos disclose all limitation in claim 1. Furthermore, Gallagher et al. disclose the mobile communication device (subscriber 12) wherein the wireless network base station (unlicensed system) is configured to send a call control message (handover request) to a registration system associated (server 24) with the mobile telephony network (licensed system) after the mobile communication device (subscriber 12) initiates establishing the communication path to the wireless network base station (unlicensed system) (col. 17, line 41 to col. 18, line 48. Gallagher et al. disclose “The unlicensed system is now ready to support the call. The licensed system now must transition the call via the system server 24 to the subscriber device 12 using the newly-established unlicensed link”).

Regarding claim 3, the combination of Moore, JR., Gallagher et al. and Raffel et al. and Hsu and Amos disclose all limitation in claim 2. Further, Gallagher et al. disclose the mobile communication device wherein the call control message establishes redirection of calls addressing the mobile communication device via the mobile telephony network to a public switched telephone network address associated with the wireless network base station (col. 17, line 41 to col. 18, line 48. Gallagher et al. disclose “The unlicensed system is now ready to

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support the call. The licensed system now must transition the call via the system server 24 to the subscriber device 12 using the newly-established unlicensed link”).

Regarding claim 5, the combination of Moore, JR., Gallagher et al. and Raffel et al. and Hsu and Amos disclose all limitation in claim 1. Further, Moore, JR. discloses the mobile communication device wherein the wireless data network protocol includes an IEEE 802.11-based protocol ([0023] and [0037]).

Regarding claim 6, the combination of Moore, JR., Gallagher et al. and Raffel et al. and Hsu and Amos disclose all limitation in claim 1. Further, Moore, JR. discloses the mobile communication device wherein the wireless data network protocol includes a Bluetooth-based protocol ([0037]).

Regarding claim 7, the combination of Moore, JR., Gallagher et al. and Raffel et al. and Hsu and Amos disclose all limitation in claim 1. Further, Moore, JR. discloses the mobile communication device wherein the mobile communication protocol is associated with at least one of Global System for Mobile communications (GSM), General Packet Radio Service (OPRS), Universal Mobile Telecommunications System ('UMTS), and CDMA2000/CDMAOne ([0020]-[0021]).

Regarding claim 8, the combination of Moore, JR., Gallagher et al. and Raffel et al. and Hsu and Amos disclose all limitation in claim 1. Further, Moore, JR. discloses the mobile communication device wherein the voice communication between the mobile communication

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device and the wireless network base station is communicated as Voice-over-IP using the data packets ([0029] to [0031]).

Regarding claim 29, the combination of Moore, JR., Gallagher et al. and Raffel et al. and Hsu and Amos disclose all limitation in claim 1. Furthermore, Gallagher et al. disclose the mobile communication device wherein the wireless network base station is configured to send a call control message to a registration system associated with the mobile telephony network via a modem (fig. 4D, col. 7, lines 46-53).

Regarding claim 31, the combination of Moore, JR., Gallagher et al. and Raffel et al. and Hsu and Amos disclose all limitation in claim 29. Furthermore, Gallagher et al. disclose the mobile communication device wherein the modem includes a digital subscriber line (DSL) modem (fig. 4D, col. 7, lines 46-53).

7. Claim 47 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moore, JR. (Pub. No.: 20030039242) in view of Gallagher et al. (U.S. 7308263) and further in view of Raffel et al. (Pub. No.: 20040152482) and further in view of Hsu (U.S. 6993363) and further in view of Amos (Pub. No.: 20040259544) and further in view of Carr et al. (U.S. 6091948).

Regarding claim 47, the combination of Moore, JR., Gallagher et al. and Raffel et al. and Hsu and Amos disclose all limitation in claim 3. However, the combination of Moore, JR., Gallagher et al. and Hsu and Amos do not disclose the mobile communication device wherein when a user turns off the mobile communication device after redirection of calls is established, the user is queried whether to continue redirection of calls.

In an analogous art, Carr et al. disclose the mobile communication device wherein when a user turns off the mobile communication device after redirection of calls is established, the user is queried whether to continue redirection of calls (col. 10, lines 11-29).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Moore, JR. by specifically including disclose the mobile communication device wherein when a user turns off the mobile communication device after redirection of calls is established, the user is queried whether to continue redirection of calls, as taught by Carr et al., the motivation being in order to enable a mobile user to control call forwarding options when a user is within range of a local mobile station.

8. Claims 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moore, JR. (Pub. No.: 20030039242) in view of Gallagher et al. (U.S. 7308263) and further in view of Raffel et al. (Pub. No.: 20040152482) and further in view of Hsu (U.S. 6993363) and further in view of Amos (Pub. No.: 20040259544) and further in view of Byrne (U.S. 6708028).

Regarding claim 48, the combination of Moore, JR., Gallagher et al. and Raffel et al. and Hsu and Amos disclose all limitation in claim 1. However, the combination of Moore, JR., Gallagher et al. and Hsu and Amos do not disclose the mobile communication device wherein a user attempting to place a call using the mobile communication device is prompted to select between placing the call via the mobile telephony network or via the wireless network base station.

In an analogous art, Byrne discloses the mobile communication device wherein a user attempting to place a call using the mobile communication device is prompted to select between

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placing the call via the mobile telephony network or via the wireless network base station (col. 2, lines 34-39).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Moore, JR. by specifically including the mobile communication device wherein a user attempting to place a call using the mobile communication device is prompted to select between placing the call via the mobile telephony network or via the wireless network base station, as taught by Byrne, the motivation being in order to enable a user of the mobile device to choose which system to use.

9. Claims 49-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moore, JR. (Pub. No.: 20030039242) in view of Gallagher et al. (U.S. 7308263) and further in view of Raffel et al. (Pub. No.: 20040152482) and further in view of Hsu (U.S. 6993363) and further in view of Amos (Pub. No.: 20040259544) and further in view of Miyakoshi et al. (Pub. No.: 20020143738).

Regarding claim 49, the combination of Moore, JR., Gallagher et al. and Raffel et al. and Hsu and Amos disclose all limitation in claim 1. However, the combination of Moore, JR., Gallagher et al. and Hsu and Amos do not disclose the mobile communication device wherein the service request module is configured to receive a wireless access point signal including an identification associated with the wireless network base station and to determine whether the wireless network base station is a pre-selected wireless network base station based on the identification.

In an analogous art, Miyakoshi et al. disclose the mobile communication device wherein the mobile communication device wherein the service request module is configured to receive a wireless access point signal including an identification associated with the wireless network base station and to determine whether the wireless network base station is a pre-selected wireless network base station based on the identification ([0122]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Moore, JR. by specifically including the mobile communication device wherein the service request module is configured to receive a wireless access point signal including an identification associated with the wireless network base station and to determine whether the wireless network base station is a pre-selected wireless network base station based on the identification, as taught by Miyakoshi et al., the motivation being in order to indicate his/her current location more easily.

Regarding claim 50, the combination of Moore, JR., Gallagher et al., Raffel et al., Hsu, Amos and Miyakoshi et al. disclose all limitation in claim 49. Further, Miyakoshi et al. disclose the mobile communication device wherein when the wireless network base station is determined to be a pre-selected wireless network base station, establishing the communication path via the wireless data network protocol ([0122]).

10. Claim 51 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moore, JR. (Pub. No.: 20030039242) in view of Gallagher et al. (U.S. 7308263) and further in view of Raffel et al. (Pub. No.: 20040152482) and further in view of Hsu (U.S. 6993363) and further in view of

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Amos (Pub. No.: 20040259544) and further in view of Miyakoshi et al. (Pub. No.: 20020143738 8) and further in view of Blatherwick et al. (U.S. 6269395).

Regarding claim 51, the combination of Moore, JR., Gallagher et al., Raffel et al. and Hsu and Amos and Miyakoshi et al. disclose all limitation in claim 49. Further, Miyakoshi et al. disclose wherein when the wireless network base station is determined to be a pre-selected wireless network base station ([0122]). However, the combination of Moore, JR., Gallagher et al. and Hsu and Amos and Miyakoshi et al. do not disclose querying a user whether to establish the communication path via the wireless data network protocol.

In an analogous art, Blatherwick et al. disclose the wireless network base station is determined to be a pre-selected wireless network base station, querying a user whether to establish the communication path via the wireless data network protocol (Abstract).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Moore, JR. by specifically the wireless network base station is determined to be a pre-selected wireless network base station, querying a user whether to establish the communication path via the wireless data network protocol, as taught by Blatherwick et al., the motivation being in order to provide a user to access to services associated with different access points if one the access point disconnects.

11. Claim 53 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moore, JR. (Pub. No.: 20030039242) in view of Gallagher et al. (U.S. 7308263) and further in view of Raffel et

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al. (Pub. No.: 20040152482) and further in view of Hsu (U.S. 6993363) and further in view of Amos (Pub. No.: 20040259544) and further in view of Gay (Pub. No.: 20040100906).

Regarding claim 53, the combination of Moore, JR., Gallagher et al., Raffel et al. and Hsu and Amos disclose all limitation in claim 1. Furthermore, Moore, JR. disclose the mobile communication device wherein the voice conversion module converts between voice communications and Voice over Internet Protocol (VoIP) data packets ([0029]). However, the combination of Moore, JR., Gallagher et al. and Hsu and Amos do not disclose wherein the wireless network base station gives the VoIP data packets higher priority than other data packets.

In an analogous art, Gay discloses wherein the VoIP data packets higher priority than other data packets ([0006]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the mobile handset of Moore, JR. by specifically including the VoIP data packets higher priority than other data packets, as taught by Gay, the motivation being in order to provide a user to avoid degradation in the audible quality of the voice conversation.

12. Claims 54-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moore, JR. (Pub. No.: 20030039242) in view of Gallagher et al. (U.S. 7308263) and further in view of Raffel et al. (Pub. No.: 20040152482) and further in view of Choksi (U.S. 7171216) and further in view of Hsu (U.S. 6993363).

Regarding claim 54, Moore, JR. discloses a mobile communication device 10 (fig. 1 and fig. 4, mobile handset 10) comprising:

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a mobile telephony circuitry 130 (see Fig. 4, transceiver 130) configured to communicate with a mobile telephony network 30 (see fig. 1, mobile network 20) using a mobile communication protocol (GSM or TDMA) (*see fig. 1 below, Moore, JR. discloses in paragraph 44 "A transceiver 130 enabled for communication with the mobile telephone network and the VoIP telephone network is provided". Furthermore, Moore, JR. discloses in paragraph 18 to 21 that the handset 10 communicates with the mobile telephone network 30 by using mobile communication protocol, e.g., the iDEN Network, TDMA, CDMA, CDMA-2000, GSM, and the like*);

a service request module 110 (see fig. 4, processor 110) configured to determine proximity to a wireless network base station 22/25 (see fig. 1, VoIP telephone network), the service request module (see fig. 4, processor 110) configured to establish a communication path with the wireless network base station (see fig. 1, VoIP telephone network) via the wireless data network protocol (Bluetooth.TM. wireless network, an IEEE 802.11b) (*see fig. 1 below, [0044]. Moore, JR. discloses "A processor 110 is provided for determining whether the mobile handset 10 is within range of the local network. If the handset 10 is within the range of the local network, data traffic may be routed to and from the handset 10 via the VoIP telephone network". Furthermore, Moore, JR. discloses in paragraph 37 that the local network 15 may comprise at least one of a Bluetooth.TM. wireless network, an IEEE 802.11b wireless network, an IEEE 802.11a wireless network, an IEEE 802.11g wireless network, an IEEE 802.11h wireless network, an IEEE 802.11e wireless network*), and

a voice conversion module 130 (see fig. 4, transceiver 130) configured to convert between voice communication and data packets to be communicated using the wireless data

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network protocol with the wireless network base station 22/25 (*Moore, JR. discloses in paragraph 33 that the mobile handset 10 is able to communicate telephone traffic and telephone call to and from the VoIP telephone network 25. Moreover, Moore, JR. discloses in paragraph 37 that the mobile handset 10 communicates with the VoIP telephone network 25 using wireless data network protocol, e.g., Bluetooth.TM. wireless network, an IEEE 802.11b wireless network, an IEEE 802.11a wireless network, an IEEE 802.11g wireless network, an IEEE 802.11h wireless network. Therefore, the mobile handset, a transceiver 130, is able to convert between voice communication and data packets to transmit to the wireless network base station).*

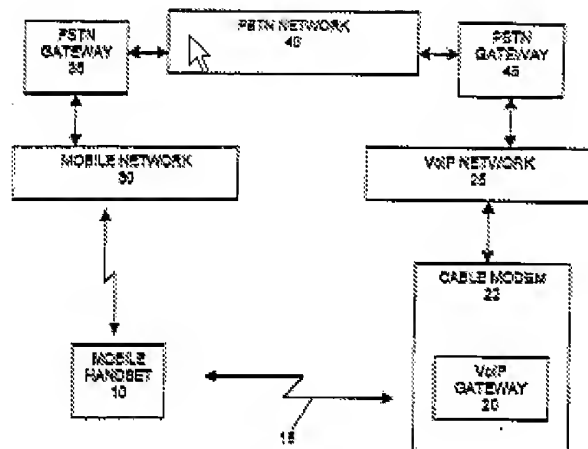


FIG. 1

However, Moore, JR. does not disclose the mobile telephony circuitry associated with a first telephone number; the wireless network base station associated with a landline phone

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associated with a second telephone number that is different than the first telephone number; the wireless network base station configured for voice communications via a voice communications network, the wireless network base station further configured for voice communications between the mobile communication device and the landline telephone, the service request module configured to determine whether the wireless network base station is a pre-determined wireless network base station associated with the landline telephone, to establish a communication path with the wireless network base station via a wireless data network protocol when the wireless network base station is a pre-determined wireless network base station associated with the landline telephone, and to periodically send a session continuation request to the wireless network base station associated with the landline telephone after the communication path is established to maintain the communication path.

In an analogous art, Gallagher et al. disclose the wireless network base station 18 (indoor base station) configured for voice communications via a voice communications network 20/22 (PSTN/PBX), the wireless network base station 18 (indoor base station) further configured for voice communications between the mobile communication device 12 (subscriber device) and the landline telephone (desk phone) (*fig. 1, col. 16, lines 22-39*).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Moore, JR. by specifically the wireless network base station 18 (base station) configured for voice communications via a voice communications network 20/22 (PSTN/PBX), the wireless network base station 18 (base station) further configured for voice communications between the mobile communication device 12 (subscriber

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device) and the landline telephone (desk phone), as taught by Gallagher et al., the motivation being in order to provide higher quality services at a lower cost.

However, the combination of Moore, JR. and Gallagher et al. do not disclose the mobile telephony circuitry associated with a first telephone number; the wireless network base station associated with a landline phone associated with a second telephone number that is different than the first telephone number; the service request module configured to determine whether the wireless network base station is a pre-determined wireless network base station associated with a landline telephone, to establish a communication path with the wireless network base station via a wireless data network protocol when the wireless network base station is a pre-determined wireless network base station associated with the landline telephone, and to periodically send a session continuation request to the wireless network base station associated with the landline telephone after the communication path is established to maintain the communication path.

In an analogous art, Raffel et al. disclose the mobile telephony circuitry associated with a first telephone number; the wireless network base station associated with a landline phone associated with a second telephone number that is different than the first telephone number (Fig. 2 and Abstract shows wherein a mobile station communicates with both a cellular network, by which it is assigned a mobile identification number, and to a cordless cellular base station utilizing the same cellular frequency range and communications protocol. The cordless cellular

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base station is preferably connected to a public switched telephone network and is assigned a landline number).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Moore, JR. by specifically including the mobile telephony circuitry associated with a first telephone number; the wireless network base station associated with a landline phone associated with a second telephone number that is different than the first telephone number, as taught by Raffel et al., the motivation being in order to provide the mobile station can be accessed to the communication network.

However, the combination of Moore, JR. and Gallagher et al. and Raffel et al. do not disclose the service request module configured to determine whether the wireless network base station is a pre-determined wireless network base station associated with a landline telephone, to establish a communication path with the wireless network base station via a wireless data network protocol when the wireless network base station is a pre-determined wireless network base station associated with the landline telephone, and to periodically send a session continuation request to the wireless network base station associated with the landline telephone after the communication path is established to maintain the communication path.

In an analogous art, Choksi discloses the mobile device configured to determine whether the wireless network base station (coverage area 83) is a pre-determined wireless network base station (coverage area 83 of the preferred network 82), to establish a communication path with

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the wireless network base station (camped on the preferred network 82) (col. 7, line 34 to col. 8, line 42).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Moore, JR. by specifically including the mobile device configured to determine whether the wireless network base station (coverage area 83) is a pre-determined wireless network base station (coverage area 83 of the preferred network 82), to establish a communication path with the wireless network base station (camped on the preferred network 82), as taught by Choksi, the motivation being in order to ensure maximum call quality and allow for efficient handoff between wireless networks and cell sites.

However, the combination of Moore, JR. and Gallagher et al. and Raffel et al. and Choksi do not disclose the service request module configures to periodically send a session continuation request to the wireless network base station associated with the landline telephone after the communication path is established to maintain the communication path.

In an analogous art, Hsu discloses the service request module (mobile handset 5) configures to periodically send a session continuation request (keep-alive) to the wireless network base station (network 3) after the communication path is established to maintain the communication path (fig. 1, col. 2, lines 40-57 and col. 5, lines 10-24).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Moore, JR. by specifically a service request module configures to periodically send a session continuation request to the wireless network

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base station after the communication path is established to maintain the communication path, as taught by Hsu, the motivation being in order to inform the network that the mobile handset is still maintained its registration with the network.

Regarding claim 55, the combination of Moore, JR., Gallagher et al., and Raffel et al. Choksi and Hsu disclose all limitation in claim 54. Further, Moore, JR. discloses the mobile communication device wherein the service request module is adapted to send a call forwarding request message to the wireless network base station to be forwarded to the mobile telephony network when the wireless network base station is a pre-determined wireless network base station ([0029] to [0035]).

Regarding claim 56, the combination of Moore, JR., Gallagher et al., and Raffel et al. Choksi and Hsu disclose all limitation in claim 54. Further, Moore, JR. discloses the mobile communication device wherein the service request module is adapted to send identification data to the wireless network base station after determining that the wireless network base station is a pre-determined wireless network base station ([0029] to [0035]).

Regarding claim 57, the combination of Moore, JR., Gallagher et al., and Raffel et al. Choksi and Hsu disclose all limitation in claim 54. Furthermore, Choksi discloses the mobile communication device wherein the service request module is adapted to receive a home portal identification of the wireless network base station to determine whether the wireless network base station is a pre-determined wireless network base station (col. 7, line 34 to col. 8, line 42).

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13. Claim 58 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moore, JR. (Pub. No.: 20030039242) in view of Gallagher et al. (U.S. 7308263) and further in view of Raffel et al. (Pub. No.: 20040152482) and further in view of Choksi (U.S. 7171216) and further in view of Hsu (U.S. 6993363) and further in view of Yegoshim (U.S. 6711146).

Regarding claim 58, the combination of Moore, JR., Gallagher et al., Raffel et al. and Choksi and Hsu disclose all limitation in claim 54. However, the combination of Moore, JR., Gallagher et al. and Choksi and Hsu do not disclose the mobile communication device wherein the service request module is adapted to prompt a user for an indication of whether to forward calls via the wireless network base station after determining that the wireless network base station is a pre-determined wireless network base station.

In an analogous art, Yegoshim discloses the mobile communication device wherein the service request module is adapted to prompt a user for an indication of whether to forward calls via the wireless network base station after determining that the wireless network base station is a pre-determined wireless network base station (col. 5, lines 55-65).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Moore, JR. by specifically the mobile communication device wherein the service request module is adapted to prompt a user for an indication of whether to forward calls via the wireless network base station after determining that the wireless network base station is a pre-determined wireless network base station, as taught by Yegoshim, the motivation being in order to enable a user of the mobile device to choose which system to use.

14. Claims 59-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moore, JR. (Pub. No.: 20030039242) in view of Gallagher et al. (U.S. 7308263) and further in view of Raffel et al. (Pub. No.: 20040152482) and further in view of Amos (Pub. No.: 20040259544).

Regarding claim 59, Moore, JR. discloses a mobile communication device (fig. 1 and fig. 4, mobile handset 10) comprising:

mobile telephony circuitry 130 (see Fig. 4, transceiver 130) configured to communicate with a mobile telephony network 30 (fig. 1, mobile network 30) using a mobile communication protocol (GSM or TDMA) (*see fig. 1 below, Moore, JR. discloses in paragraph 44 "A transceiver 130 enabled for communication with the mobile telephone network and the VoIP telephone network is provided". Furthermore, Moore, JR. discloses in paragraph 18 to 21 that the handset 10 communicates with the mobile telephone network 30 by using mobile communication protocol, e.g., the iDEN Network, TDMA, CDMA, CDMA-2000, GSM, and the like*);

a service request module 110 (fig. 4, processor 110) configured to determine proximity to a wireless network base station 22/25 (fig. 1, VoIP telephone network), the service request module 110 (fig. 4, processor 110) configured to establish a communication path via the wireless data network protocol (a Bluetooth.TM. or an IEEE 802.11 protocol) (*see fig. 1 below, [0044]. Moore, JR. discloses "A processor 110 is provided for determining whether the mobile handset 10 is within range of the local network. If the handset 10 is within the range of the local network, data traffic may be routed to and from the handset 10 via the VoIP telephone network"*), the service request module 110 configured to establish a communication path via a wireless data

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network protocol (*Moore, JR. discloses in paragraph 37 that the local network 15 may comprise at least one of a Bluetooth.TM. wireless network, an IEEE 802.11b wireless network, an IEEE 802.11a wireless network, an IEEE 802.11g wireless network, an IEEE 802.11h wireless network, an IEEE 802.11e wireless network*), and

a voice conversion module 130 configured to convert between voice communication and data packets to be communicated using the wireless data network protocol with the wireless network base station 22/25 (*Moore, JR. discloses in paragraph 33 that the mobile handset 10 is able to communicate telephone traffic and telephone call to and from the VoIP telephone network 25. Moreover, Moore, JR. discloses in paragraph 37 that the mobile handset 10 communicates with the VoIP telephone network 25 using wireless data network protocol, e.g., Bluetooth.TM. wireless network, an IEEE 802.11b wireless network, an IEEE 802.11a wireless network, an IEEE 802.11g wireless network, an IEEE 802.11h wireless network. Therefore, the mobile handset, a transceiver 130, is able to convert between voice communication and data packets to*

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transmit to the wireless network base station).

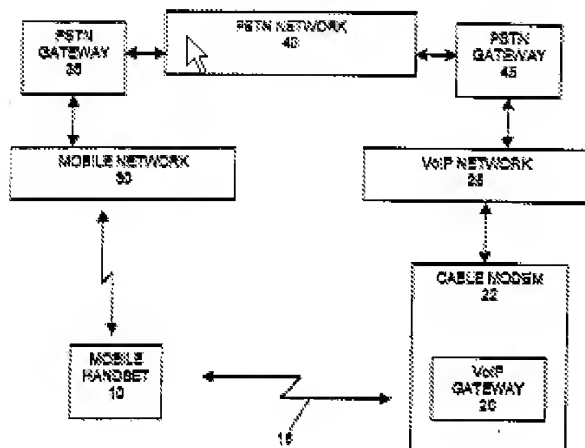


FIG. 1

However, Moore, JR. does not disclose the mobile telephony circuitry associated with a first telephone number; the wireless network base station associated with a landline phone associated with a second telephone number that is different than the first telephone number, the wireless network base station configured for voice communications via a voice communications network, the wireless network base station further configured for voice communications between the mobile communication device and the landline telephone; a power supply controller adapted to power down the service request module when the mobile communication device is not in proximity to the wireless network base station.

In an analogous art, Gallagher et al. disclose a wireless network base station 18 (indoor base station) associated with a landline phone (desk phone), the wireless network base station 18 (indoor base station) configured for voice communications via a voice communications network 20 (PSTN), the wireless network base station 18 (indoor base station) further configured for voice communications between the mobile communication device 12 (subscriber device) and the landline telephone (desk phone) (*fig. 1, col. 16, lines 22-39*).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Moore, JR. by specifically a wireless network base station associated with a landline phone, the wireless network base station configured for voice communications via a voice communications network, the wireless network base station further configured for voice communications between the mobile communication device and the landline telephone, as taught by Gallagher et al., the motivation being in order to provide higher quality services at a lower cost.

However, the combination of Moore, JR. and Gallagher et al. do not disclose the mobile telephony circuitry associated with a first telephone number; the wireless network base station associated with a landline phone associated with a second telephone number that is different than the first telephone number; a power supply controller adapted to power down the service request module when the mobile communication device is not in proximity to the wireless network base station.

In an analogous art, Raffel et al. disclose the mobile telephony circuitry associated with a first telephone number; the wireless network base station associated with a landline phone associated with a second telephone number that is different than the first telephone number (Fig. 2 and Abstract shows wherein a mobile station communicates with both a cellular network, by which it is assigned **a mobile identification number**, and to a cordless cellular base station utilizing the same cellular frequency range and communications protocol. The cordless cellular base station is preferably connected to a public switched telephone network and is assigned **a landline number**).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Moore, JR. by specifically including the mobile telephony circuitry associated with a first telephone number; the wireless network base station associated with a landline phone associated with a second telephone number that is different than the first telephone number, as taught by Raffel et al., the motivation being in order to provide the mobile station can be accessed to the communication network.

However, the combination of Moore, JR. and Gallagher et al. and Raffel et al. do not disclose a power supply controller adapted to power down the service request module when the mobile communication device is not in proximity to the wireless network base station.

In the same field of endeavor, Amos discloses a handset 100 (fig. 3) includes a power supply controller 106 (fig. 1, phone microprocessor) adapted to power down the service request module 104 (fig. 1, Bluetooth 104) when the mobile communication device 100 is not in proximity to the wireless network base station (base station 200) (fig. 3, [0039]. Amos discloses

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“The loss of the Bluetooth link at 412 transfers the wireless handset 100 state from Bluetooth 404 to an 802.11 use state 406. The wireless handset 100 will remain in the 802.11 use state 406 provided that voice data traffic continues 410 to be received”).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Moore, JR. by specifically including a handset 100 (fig. 3) includes a power supply controller 106 (fig. 1, phone microprocessor) adapted to power down the service request module 104 (fig. 1, Bluetooth 104) when the mobile communication device 100 is not in proximity to the wireless network base station (base station 200), as taught by Amos, the motivation being in order to save extend lifetime of a battery and save network's resources.

Regarding claim 60, the combination of Moore, JR., Gallagher et al., Raffel et al. and Amos disclose all limitation in claim 1. Further, Amos discloses the mobile communication device wherein the power supply controller is manually switchable to selectively control power to the service request module or to the mobile telephony circuitry ([0009]).

Conclusion

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dai A Phuong whose telephone number is 571-272-7896. The examiner can normally be reached on Monday to Friday, 9:00 A.M. to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Dai A Phuong/
Examiner, Art Unit 2617
Date: 02/05/2010

/Patrick N. Edouard/
Supervisory Patent Examiner, Art Unit 2617